

REMARKS:

Claims 1, 3, 4, 9, 10 and 16 were rejected under 35 U.S.C. §103(a) as being unpatentable over U.S. Patent No. 6,663,456 to Gemma, Jr. ("Gemma") in view of U.S. Patent No. 6,506,093 to Avital ("Avital").

Claims 7 and 14 were rejected under 35 U.S.C. §103(a) as being unpatentable over Gemma in view of Avital and further in view of U.S. Patent Application Publication No. 2004/0198144 of Pokempner et al. ("Pokempner").

Claims 8 and 15 were rejected under 35 U.S.C. §103(a) as being unpatentable over Gemma in view of Avital and further in view of U.S. Patent No. 5,816,821 to Ouellette et al. ("Ouellette").

Claims 5 and 13 were rejected under 35 U.S.C. §103(a) as being unpatentable over Gemma in view of Avital and further in view of *Teaching Multiculturalism: Focus on People*, Reading Online, July 1998 of Wallace ("Wallace").

Claim 6 was rejected under 35 U.S.C. §103(a) as being unpatentable over Gemma in view of Avital and Wallace and further in view of U.S. Patent No. 4,673,197 to Shtipelman et al. ("Shtipelman").

Claim 12 was rejected under 35 U.S.C. §103(a) as being unpatentable over Gemma in view of Avital and Wallace and further in view of *Manners Matter: Activities To Teach Young*

People Social Skills, 1992 of Pincus ("Pincus").

Gemma discloses a box 1 comprising a front wall 3 and a puppet manipulator 8, a puppet attachment portion 9 of which is visible through a stage opening 13 in an upper portion 20 of the wall 3. The puppet manipulator 8 has a glove-like shape including four fingers comprising a puppet attachment portion 9 of the manipulator 8 to which puppet figures 10 can be removably attached. An opening 16 in the bottom 7 of the box 1 adapted to receive a child's hand permits access to the attachment portion 9 for manipulating puppets thereto attached. Col. 2, line 48-Col. 3, line 10 of Gemma with reference to Figures 1 and 5. Gemma also discloses, in discussing prior art to its invention, a puppet in the likeness of a story character. Col. 1, lines 31-38 of Gemma.

Avital discloses a miniature puppet theater and book combination 10 comprising a stage structure 12 including a box-shaped housing 16 having a central opening 18 forming a stage area. Col. 4, lines 10-24 of Avital with reference to Figs. 1-3 and 4A-4F. A book 14 is hinged to the stage structure 12 such that the housing 16 and the stage structure 12 can be collapsed into a compact structure. Col. 4, lines 39-41 of Avital with reference to Figs. 1 and 2.

Pokempner discloses an activity kit including a pad 104 hinged to a box 102 that may include, among other items, flash cards. Paragraph [0004]; Paragraph [0007] of Pokempner with reference to Figs. 1A-1C.

Ouellette discloses a series of dolls each equipped with an

accessory 50 containing an interactive sound transmitting and recording device 60, pre-recorded music with bilingual lyrics 70 and a small booklet 80 showing the music lyrics in both languages. Col.2, lines 57-67 of Ouellette with reference to Figs. 1A-1C.

Wallace discusses bringing foreign-born visitors to a classroom to foster understanding and acceptance of foreign cultures. Pg. 1 of Wallace at Introduction. Activities for teaching students multiculturalism involving the foreign-born visitors are described. Pgs. 4-7 of Wallace.

Shtipelman discloses a map display apparatus for drivers and other travelers showing geographical regions on pocket-sized cards. Accessories that permit the erasable tracing of traveling directions supplement the map display (Abstract of Shtipelman).

Pincus discloses an activity book including reproducible activity pages offering creative and imaginative ways for students to explore and understand the concept of manners. Abstract, Pg. 3 of Pincus.

Applicants invented very effective steps for teaching children about a culture different from their own. Applicants worked within the limitations imposed by existing childhood education systems including time and budget constraints to maximize the effectiveness of a lesson by combining a very specific set of learning tools in a particular way that optimizes learning while minimizing the time required to provide the lesson. Moreover, applicants invented a method that

provides very specific sensory information tailored specifically to teach multiculturalism.

As to applicants' claims, 1-9 have been canceled, leaving only claims 10 and 12-16. In particular, claim 10 describes a method of teaching children of a first culture about a second culture different from the first culture. The method includes displaying a doll costumed to represent a child of the second culture, playing a video, and manipulating finger puppets representing a family of the second culture in accordance with a story of the video presentation. These steps are performed in combination with other claimed method steps.

Claim 12 describes the method as also including providing at least one activity book relating to the second culture, reproducing activity sheets from the book, and distributing the reproduced sheets for the children's use.

Claim 14 describes the method as also including the step of providing a plurality of flash cards relating to the second culture, placing a symbol representing a corresponding aspect of the second culture on each of the flash cards, and exhibiting the flash cards to the children.

A combination of prior art references must teach or suggest all of the limitations recited in a claim before a legal case of obviousness can be established. MPEP 2142. Furthermore, the U.S. Supreme Court in *KSR International Co. v. Teleflex, Inc.*, 82 USPQ2d 1385 (2007), affirmed that, even if the prior art references in combination teach or suggest all of the claim limitations, the invention is still patentable unless one of

ordinary skill would have had reason to combine the known elements. *Id.* at 1396.

In the present case, the Patent Office simply asserts with regard to claim 10 that, although Gemma does not disclose puppets configured to represent a family of a second culture, the puppets Gemma does disclose "may be used to represent a family. For example, if four finger puppets are used, then a user could choose to represent two of the puppets as parents, and the other two puppets as children." Paragraph 2 of Office Action mailed March 27, 2007 at Page 3.

Thus, the prior art does not disclose all of the limitations recited in applicants' particularly claimed method step of providing a plurality of finger puppets configured to represent a family of a second culture. The question whether there was a reason to combine elements of the prior art under KSR cannot be answered where all the elements of applicants' claimed invention (providing finger puppets representing a family of a second culture) have not been identified in the prior art. Therefore, claims 10 and 12-16 would not have been obvious to one of ordinary skill in the art. Thus, these claims should be allowable over the prior art.

Moreover, the Patent Office's analysis seems to disregard the very nature of applicants' invention. To assume without any evidence that, because finger puppets are known, applicants' invention would have been obvious avoids examination of applicants' specific claim limitations. Most children are born into some type of family structure and become familiar with the concept of family before other learning occurs. Applicants

invented an effective method that takes advantage of children's knowledge of "family" to teach multiculturalism. Abrogating this important aspect of applicants' invention, as the Patent Office seems to have done, eliminates innovative features from applicants' method and makes applicant's' claim language appear to describe something common. The prior art in combination does not teach or suggest applicants' limited method in all its detail, especially the family concept and even if it were assumed to, there would have been no common sense or other reason to have combined prior art elements to produce applicants' invention with a "family concept" under KSR.

Also, while Gemma does disclose a puppet in the likeness of a story character, but does not disclose one configured to represent a child of a second culture, the Patent Office asserts that the dress of the puppet disclosed by Gemma "could be any style of costume desired by a user of the invention, including the specific costume type (i.e. child of a second culture) recited in the claim." Paragraph 2 of Office Action mailed March 27, 2007 at Page 3.

Applicants invented a method that includes providing a costumed doll configured to represent a child of a second culture. The prior art does not teach or suggest providing such a doll in combination with applicants' other claimed method steps, (such as the family concept) so the question whether there was a reason to combine known elements under KSR is not material, and applicants' claims 10 and 12-16 would not have been obvious to one of ordinary skill in the art. Claims 10 and 12-16 are therefore in condition for allowance.

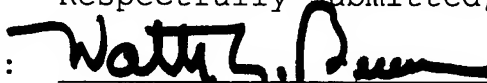
With regard to claim 14, Pokempner is not prior art to the present application. Pokempner was accorded a filing date of Dec. 11, 2003 while the present application was accorded a filing date over two months earlier (October 2, 2003). But even if Pokempner is prior art, the Patent Office has again failed to identify all of the elements of applicants' claimed invention. Pokempner does not disclose the method step of providing a plurality of flash cards relating to a second culture. Neither does Pokempner disclose the step of placing at least one symbol representing a corresponding aspect of the second culture upon each of the flash cards. Therefore, Gemma and Avital combined with Pokempner does not teach or suggest all of the limitations recited in claim 14 as required by MPEP 2142, even if one of ordinary skill would have had reason to combine the references. Claim 14 is therefore in condition for allowance for these additional reasons.

The Patent Office also asserts that, although Gemma does not disclose providing an activity book relating to a second culture, "The sheets [in the book disclosed by Gemma] may have any content desired by a user of the invention, including activities." Paragraph 7 of Office Action mailed March 27, 2007 at Page 9. So the Patent Office concludes that applicants' claim 12 would have been obvious to one of ordinary skill in the art. The Patent Office, however, has again failed to identify in the prior art all of the elements recited in applicants' claim 12. Gemma does not teach or suggest providing an activity book relating to a culture different from a child's culture. Therefore, obviousness has not been established with regard to applicants' claim 12 for this additional reason.

Accordingly, with the cancellation of apparatus claims 1 and 3-9, applicants believe the remaining method claims 10 and 12-16 are patentably distinct under the present obviousness standard. Claim allowance is therefore earnestly solicited at the Examiner's earliest convenience.

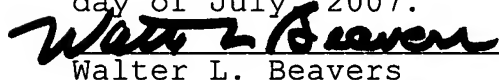
Respectfully submitted,

By:



Walter L. Beavers
Attorney For Applicant
Registration No. 26,704
326 South Eugene Street
Greensboro, North Carolina 27401
Telephone: (336) 275-7601
Facsimile: (336) 275-2009
E-mail: wbeavers@bellsouth.net

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Walter L. Beavers